

FISCAL YEAR 2014

**TRULY AGREED AND FINALLY PASSED
(AFTER VETO)**

PUBLIC DEFENDER

HOUSE BILL 12

VETOES: *None*

**97th General Assembly
First Regular Session**

Prepared by Senate Appropriations Committee Staff

Public Defender Commission - Director's Office/Legal Services - Section 12.400

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The Director's Office is responsible for centralized administration and coordination of resources, planning functions, fiscal processing, personnel functions, data processing support, conflict case transfers, collection of lien and recoupment monies and other support functions.

Legal Base: Chapter 600 RSMo

Funding Source: General Revenue

FY 2013 Withhold: None

CORE ADJUSTMENTS:

DEPARTMENT:

No Changes

Requested 100% Flexibility between General Revenue Personal Services and Expense & Equipment

GOVERNOR:

No Changes

Recommended 100% Flexibility between General Revenue Personal Services and Expense & Equipment

HOUSE:

No Changes

Recommended 100% Flexibility between General Revenue Personal Services and Expense & Equipment

SENATE:

Core Transfer: (\$530,096) General Revenue Expense & Equipment to the Office of the State Courts Administrator for payments to court reporters for transcript costs

Recommended 100% Flexibility between General Revenue Personal Services and Expense & Equipment

CONFERENCE:

Senate Position on core transfer to OSCA

Recommended 100% Flexibility between General Revenue Personal Services and Expense & Equipment

Committee Markup Annual	OFFICE OF THE PUBLIC DEFENDER												Regular House Bills	
	FY 2012		FY 2013		FY 2014		GOV AS		HOUSE		SENATE		TRULY AGREED	
	ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		FINALLY PASSED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400														
OFFICE OF THE DIRECTOR - 15111C														
CORE														
PERSONAL SERVICES	27,288,817	577.73	28,181,366	585.13	28,181,366	585.13	28,181,366	585.13	28,181,366	585.13	28,181,366	585.13	28,181,366	585.13
GENERAL REVENUE	27,288,817	577.73	28,181,366	585.13	28,181,366	585.13	28,181,366	585.13	28,181,366	585.13	28,181,366	585.13	28,181,366	585.13
EXPENSE & EQUIPMENT	4,860,220	0.00	4,419,108	0.00	4,419,108	0.00	4,419,108	0.00	4,419,108	0.00	3,889,012	0.00	3,889,012	0.00
GENERAL REVENUE	4,860,220	0.00	4,419,108	0.00	4,419,108	0.00	4,419,108	0.00	4,419,108	0.00	3,889,012	0.00	3,889,012	0.00
TOTAL	\$32,149,037	577.73	\$32,600,474	585.13	\$32,600,474	585.13	\$32,600,474	585.13	\$32,600,474	585.13	\$32,070,378	585.13	\$32,070,378	585.13

Pay Plan FY13-Cost to Continue - 0000013														
PERSONAL SERVICES	0	0.00	0	0.00	19,626	0.00	19,626	0.00	19,626	0.00	19,626	0.00	19,626	0.00
GENERAL REVENUE	0	0.00	0	0.00	19,626	0.00	19,626	0.00	19,626	0.00	19,626	0.00	19,626	0.00
TOTAL	\$0	0.00	\$0	0.00	\$19,626	0.00	\$19,626	0.00	\$19,626	0.00	\$19,626	0.00	\$19,626	0.00
Cost to continue the FY 2013 pay plan.														

Pay Plan FY14-COLA - 0000014														
PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	258,510	0.00	146,283	0.00	146,283	0.00	146,283	0.00

Committee Markup Annual	OFFICE OF THE PUBLIC DEFENDER												Regular House Bills	
	FY 2012		FY 2013		FY 2014		GOV AS		HOUSE		SENATE		TRULY AGREED	
	ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		FINALLY PASSED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400														
OFFICE OF THE DIRECTOR - 15111C														
Pay Plan FY14-COLA - 0000014														
PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	258,510	0.00	146,283	0.00	146,283	0.00	146,283	0.00
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	258,510	0.00	146,283	0.00	146,283	0.00	146,283	0.00
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$258,510	0.00	\$146,283	0.00	\$146,283	0.00	\$146,283	0.00
General Structure Adjustment for all state employees. Governor recommends 2% for the second half of FY2014. House recommends \$250 per FTE for the second half of FY14.														

Caseload Crisis - - 1151001														
PERSONAL SERVICES	0	0.00	0	0.00	2,785,992	71.00	0	0.00	0	0.00	0	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	2,785,992	71.00	0	0.00	0	0.00	0	0.00	0	0.00
EXPENSE & EQUIPMENT	0	0.00	0	0.00	4,079,513	0.00	0	0.00	0	0.00	0	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	4,079,513	0.00	0	0.00	0	0.00	0	0.00	0	0.00
TOTAL	\$0	0.00	\$0	0.00	\$6,865,505	71.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00

Committee Markup Annual	OFFICE OF THE PUBLIC DEFENDER												Regular House Bills	
	FY 2012		FY 2013		FY 2014		GOV AS		HOUSE		SENATE		TRULY AGREED	
	ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		FINALLY PASSED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400														
OFFICE OF THE DIRECTOR - 15111C														
Information Tech - Keeping Up - 1151002														
EXPENSE & EQUIPMENT	0	0.00	0	0.00	254,820	0.00	0	0.00	0	0.00	0	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	254,820	0.00	0	0.00	0	0.00	0	0.00	0	0.00
TOTAL	\$0	0.00	\$0	0.00	\$254,820	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00

Specialized Attorneys - 1151003														
PERSONAL SERVICES	0	0.00	0	0.00	838,656	12.00	0	0.00	0	0.00	0	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	838,656	12.00	0	0.00	0	0.00	0	0.00	0	0.00
EXPENSE & EQUIPMENT	0	0.00	0	0.00	151,260	0.00	0	0.00	0	0.00	0	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	151,260	0.00	0	0.00	0	0.00	0	0.00	0	0.00
TOTAL	\$0	0.00	\$0	0.00	\$989,916	12.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00

Committee Markup Annual

OFFICE OF THE PUBLIC DEFENDER

Regular House Bills

	FY 2012 ACTUAL		FY 2013 BUDGET		FY 2014 DEPT REQ		GOV AS AMENDED REC		HOUSE RECOMMENDED		SENATE RECOMMENDED		TRULY AGREED FINALLY PASSED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400														
OFFICE OF THE DIRECTOR - 15111C														
Office Space Requirements - 1151004														
EXPENSE & EQUIPMENT	0	0.00	0	0.00	1,983,019	0.00	0	0.00	0	0.00	0	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	1,983,019	0.00	0	0.00	0	0.00	0	0.00	0	0.00
TOTAL	\$0	0.00	\$0	0.00	\$1,983,019	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00

TOTAL - OFFICE OF THE DIRECTOR	\$32,149,037	577.73	\$32,600,474	585.13	\$42,713,360	668.13	\$32,878,610	585.13	\$32,766,383	585.13	\$32,236,287	585.13	\$32,236,287	585.13
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Public Defender Commission – Grants - Section 12.400

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This section provides appropriation authority if grants are received from the federal government.

Legal Base: Chapter 600 RSMo
Funding Source: Federal Funds
FY 2013 Withhold: None

CORE ADJUSTMENTS:

DEPARTMENT:

No Changes

GOVERNOR:

No Changes

HOUSE:

No Changes

SENATE:

No Changes

CONFERENCE:

No Changes

Committee Markup Annual	OFFICE OF THE PUBLIC DEFENDER										Regular House Bills			
	FY 2012		FY 2013		FY 2014		GOV AS		HOUSE		SENATE		TRULY AGREED	
	ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		FINALLY PASSED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400														
GRANTS - 15131C														
CORE														
PROGRAM-SPECIFIC	0	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00
FEDERAL FUNDS	0	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00
TOTAL	\$0	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00
TOTAL - GRANTS	\$0	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00

Public Defender Commission – Legal Defense and Defender Fund - Section 12.400

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This section reflects personal services and expense and equipment requested and recommended from the Legal Defense Fund (funds collected from the indigent).

Legal Base: Chapter 600 RSMo

Funding Source: Legal Defense and Defender Fund

FY 2013 Withhold: None

CORE ADJUSTMENTS:

DEPARTMENT:

No Changes

GOVERNOR:

No Changes

HOUSE:

No Changes

SENATE:

No Changes

CONFERENCE:

No Changes

Committee Markup Annual	OFFICE OF THE PUBLIC DEFENDER												Regular House Bills	
	FY 2012		FY 2013		FY 2014		GOV AS		HOUSE		SENATE		TRULY AGREED	
	ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		FINALLY PASSED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400														
LEGAL DEFENSE & DEFENDER FUND - 15141C														
CORE														
PERSONAL SERVICES	129,493	2.03	130,196	2.00	130,196	2.00	130,196	2.00	130,196	2.00	130,196	2.00	130,196	2.00
OTHER FUNDS	129,493	2.03	130,196	2.00	130,196	2.00	130,196	2.00	130,196	2.00	130,196	2.00	130,196	2.00
EXPENSE & EQUIPMENT	957,623	0.00	2,795,756	0.00	2,795,756	0.00	2,795,756	0.00	2,795,756	0.00	2,795,756	0.00	2,795,756	0.00
OTHER FUNDS	957,623	0.00	2,795,756	0.00	2,795,756	0.00	2,795,756	0.00	2,795,756	0.00	2,795,756	0.00	2,795,756	0.00
PROGRAM-SPECIFIC	52,756	0.00	55,000	0.00	55,000	0.00	55,000	0.00	55,000	0.00	55,000	0.00	55,000	0.00
OTHER FUNDS	52,756	0.00	55,000	0.00	55,000	0.00	55,000	0.00	55,000	0.00	55,000	0.00	55,000	0.00
TOTAL	\$1,139,872	2.03	\$2,980,952	2.00	\$2,980,952	2.00	\$2,980,952	2.00	\$2,980,952	2.00	\$2,980,952	2.00	\$2,980,952	2.00

Pay Plan FY13-Cost to Continue - 0000013														
PERSONAL SERVICES	0	0.00	0	0.00	30	0.00	30	0.00	30	0.00	30	0.00	30	0.00
OTHER FUNDS	0	0.00	0	0.00	30	0.00	30	0.00	30	0.00	30	0.00	30	0.00
TOTAL	\$0	0.00	\$0	0.00	\$30	0.00	\$30	0.00	\$30	0.00	\$30	0.00	\$30	0.00
Cost to continue the FY 2013 pay plan.														

Pay Plan FY14-COLA - 0000014														
PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	1,194	0.00	500	0.00	500	0.00	500	0.00

Committee Markup Annual	OFFICE OF THE PUBLIC DEFENDER												Regular House Bills	
	FY 2012		FY 2013		FY 2014		GOV AS		HOUSE		SENATE		TRULY AGREED	
	ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		FINALLY PASSED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400														
LEGAL DEFENSE & DEFENDER FUND - 15141C														
Pay Plan FY14-COLA - 0000014														
PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	1,194	0.00	500	0.00	500	0.00	500	0.00
OTHER FUNDS	0	0.00	0	0.00	0	0.00	1,194	0.00	500	0.00	500	0.00	500	0.00
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$1,194	0.00	\$500	0.00	\$500	0.00	\$500	0.00
General Structure Adjustment for all state employees. Governor recommends 2% for the second half of FY2014. House recommends \$250 per FTE for the second half of FY14.														

TOTAL - LEGAL DEFENSE & DEFENDER FUN	\$1,139,872	2.03	\$2,980,952	2.00	\$2,980,982	2.00	\$2,982,176	2.00	\$2,981,482	2.00	\$2,981,482	2.00	\$2,981,482	2.00
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Public Defender Commission – Extraordinary Expenses and Conflict Cases - Section 12.400

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This section provides monies to meet the costs associated with conflict case reassignments and extraordinary expenses related to providing representation in criminal cases. The appropriation is used to provide for the defense of criminal cases and expenses such as expert witnesses, depositions and other expenses arising from changes of venue.

There are more than 300 homicide cases assigned to the system each year and more than 750 conflict of interest cases which must be reassigned each to the private bar.

Legal Base: Chapter 600 RSMo

Funding Source: General Revenue

FY 2013 Withhold: (\$721,071) General Revenue

CORE ADJUSTMENTS:

DEPARTMENT:

No Changes

GOVERNOR:

No Changes

HOUSE:

No Changes

SENATE:

Core Transfer: (\$700,000) General Revenue Expense & Equipment to the Office of the State Courts Administrator to administer a pilot program of private legal representation for misdemeanor cases in selected counties

CONFERENCE:

Senate position

Committee Markup Annual	OFFICE OF THE PUBLIC DEFENDER												Regular House Bills	
	FY 2012		FY 2013		FY 2014		GOV AS		HOUSE		SENATE		TRULY AGREED	
	ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		FINALLY PASSED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400														
EXTRAORDINARY EXPENSE/CONFLIC - 15151C														
CORE														
EXPENSE & EQUIPMENT	2,558,059	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,021,071	0.00	3,021,071	0.00
GENERAL REVENUE	2,558,059	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,021,071	0.00	3,021,071	0.00
TOTAL	\$2,558,059	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,021,071	0.00	\$3,021,071	0.00
TOTAL - EXTRAORDINARY EXPENSE/CONFLI	\$2,558,059	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,021,071	0.00	\$3,021,071	0.00

Public Defender Commission – Debt Offset Escrow - Section 12.400

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This section authorizes State Public Defender to intercept Missouri State Income Tax refund checks due to individuals who owe the Missouri State Public Defender System monies for representation.

Legal Base: Chapter 600 RSMo

Funding Source: Escrow Account between the Taxpayer and the Dept of Revenue for Missouri State Public Defender Income Tax Interceptions

FY 2013 Withhold: None

CORE ADJUSTMENTS:

DEPARTMENT:

No Changes

Requested an “E” on this appropriation

GOVERNOR:

No Changes

Recommended an “E” on this appropriation

HOUSE:

No Changes

Recommended an “E” on this appropriation

SENATE:

No Changes

Recommended removing the “E” on this appropriation

CONFERENCE:

No Changes

Recommended removing the “E” on this appropriation

Committee Markup Annual	OFFICE OF THE PUBLIC DEFENDER												Regular House Bills	
	FY 2012		FY 2013		FY 2014		GOV AS		HOUSE		SENATE		TRULY AGREED	
	ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		FINALLY PASSED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400														
DEBT OFFSET ESCROW FUND - 15161C														
CORE														
PROGRAM-SPECIFIC	945,888	0.00	350,000	0.00	350,000	0.00	350,000	0.00	350,000	0.00	350,000	0.00	350,000	0.00
OTHER FUNDS	945,888	0.00	350,000E	0.00	350,000E	0.00	350,000E	0.00	350,000E	0.00	350,000	0.00	350,000	0.00
TOTAL	\$945,888	0.00	\$350,000	0.00	\$350,000	0.00	\$350,000	0.00	\$350,000	0.00	\$350,000	0.00	\$350,000	0.00